



KRISTIN NORDECK BROWN, P.C.
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MEMORANDUM

TO: Local Liquor Licensing Authority
Town of Frederick

FROM: Kristin N. Brown

DATE: November 30, 2009

RE: Application for Renewal of Liquor License: Glacier Liquors, LLC

An application for renewal has been filed with the Town Clerk's office by Glacier Liquors, LLC.

The Frederick Liquor Authority must decide whether to renew the liquor license held by the licensee. The Colorado Liquor Code provides that the local Liquor Authority may cause a hearing on the application to be held. If there is not a possibility that the renewal application will be denied, there is no need to schedule a formal hearing (the purpose of which would be to provide the applicant an opportunity to present evidence in support of the renewal, and to answer any allegations raised at the hearing). Formal notice of the hearing would have to be provided to the applicant if there is a possibility that the Liquor Authority may deny the renewal application.

The Colorado Liquor Code provides the guidelines that must be followed in consideration of a renewal application. The Code provides that the Licensing Authority may refuse to renew any license for "good cause" (subject to judicial review). C.R.S. §12-47-302(1). "Good cause" is defined to mean:

1. The licensee or applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of the Liquor Code or any rules and regulations therein;
2. The licensee or applicant has failed to comply with any special terms or conditions that were placed on its license in prior disciplinary proceedings or arose in the context of potential disciplinary proceedings;



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3. Evidence that the licensed premises have been operated in a manner that adversely affects the public health, welfare, or safety of the immediate neighborhood in which the establishment is located, which evidence must include a continuing pattern of fights, violent activity, or disorderly conduct.

The background investigation completed by Sgt. Bedsaul will provide you with much of the information you will need regarding the history within the last year for the applicant.

I will be at the Board meeting on December 8, 2009, to answer questions that may arise in regard to the renewal application.